

REMARKS

This is in response to the Advisory Action mailed on August 11, 2006 and to the Office Action (made final) mailed on March 31, 2006. In the Advisory Action, the Examiner refused to enter the Amendment in response to the March 31 Office Action alleging that the Amendment did not place the application in condition for allowance because contrary to applicant's argument Vylon 200 is a crosslinkable or curable material. The Advisory Action referred to column 7, lines 44-60 of the Ogawa et al. U.S. Patent No. 5,959,034 and column 18, lines 38 of the Kamimura et al. U.S. Patent No. 5,663,116.

This Amendment not only includes the amendments to the claims that the unsaturated polyester resins are crosslinkable, but also each independent claim has been amended to include a peroxide catalyst for crosslinking the unsaturated polyester resins. Support for this latter amendment is found on page 32, lines 25-29. As stated in the Amendment After Final that was not entered, claim 1 was amended to include the subject matter of claims 39 and 40, that is, that the layers comprising the decorative transfer are crosslinkable. Furthermore, claim 1 has been amended to include a peroxide catalyst for crosslinking the unsaturated polyester resin, when the decorative transfer of the present invention is adhered to the inner surface of a mold, and the mold is then filled with resin to produce the product for containing the decorative transfer. The decorative transfer due to the components as now defined in independent claim 1, crosslink with the resin for producing the product such that the decorative transfer becomes an integral part of the molded product.

The Kobayashi et al. U.S. Patent No. 5,643,659 neither teaches nor suggests such a decorative transfer. As clearly indicated in the examples of the Kobayshi et al. patent, the transfer disclosed in Kobayashi et al. is simply a heat transfer. The heat transfer printing sheet of Kobayashi et al. includes a hot-melt binder and as such, the binder does not become part of the product which is transferred as would be the case using a crosslinkable gel layer. The transfer of Kobayashi et al. is secured through adhesive means (hot-melt binder) and does not become an internal part of the product to which it is adhered.

The Advisory Action referred to column 7, lines 44-60 of U.S. Patent No. 5,959,034 and column 18, line 38 of U.S. Patent No. 5,663,116 for support that Vylon is a crosslinkable or curable material. However, Vylon does not crosslink except when using an isocyanite. This reaction is clearly discussed in column 7, lines 44-60 in the Ogawa et al. patent.

Although the Office Action referred to column 18, line 38 of the Kamimura et al. patent, applicant's attorney could not find any mention of Vylon. Instead, in column 13, lines 1-14, Kamimura et al. mentions Vylon 200 and the use of a polyisocyanite compound as a crosslinking agent. Also in column 17, lines 1-12, a second mention is made of Vylon 200 and the use of a polyisocyanite component as a crosslinking agent.

The crosslinking reaction of the present invention is quite different than crosslinking using a polyisocyanite. A peroxide catalyst crosslinking is a free radical initiated reaction. On the other hand, the use of a polyisocyanite as a catalyst results in only the end groups of the saturated polyester (such as Vylon) available for the crosslinking reaction.

Similarly, independent claims 41, 42, 43, 44, 47 and 49 have also been amended to state that the layers that comprise a decorative transfer of the present invention are crosslinkable and include a peroxide catalyst for crosslinking. For the same reasons as discussed above with regard to claim 1, independent claims 41, 42, 43, 44, 47 and 49 and their respective dependent claims are also neither taught nor suggested by the Kobayashi et al. patent alone or in combination with the Ogawa et al. and Kamimura et al. patents.

In the final Office Action, claims 44, 43 and 47-49 were rejected under 35 U.S.C. § 102 as being anticipated by Yamauchi et al. U.S. Patent No. 5,387,013. The final Office Action indicated that Yamauchi et al. discloses a transfer media comprising a substrate, a design layer and an adhesive layer wherein the design layer comprises carbon black. It was alleged that the design layer is equivalent to the claimed ink film, the adhesive layer is equivalent to the claimed tacky resin, and the carbon black is equivalent to the claimed pigment.

Claim 44, 43, 47 and 49 have been amended to state that the layers comprising a transfer of the present invention are crosslinkable layers. Furthermore, claims 44, 43, 47 and 49 have been amended to state that a peroxide catalyst is used.

In contrast, the Yamauchi et al. patent describes a heat transfer decorative layer (see abstract). The Yamauchi et al. patent neither teaches nor suggests a crosslinkable ink in which the image crosslinks to the resin comprising the product. The ink layer of Yamauchi et al. is a hot meltable ink layer (column 6, lines 59-60). Neither the Ogawa et al. or the Kamimura et al. patents teach or suggest a peroxide initiated crosslinking reaction. In view of this, it is requested that the rejection under 35 U.S.C. § 102(b) of claims 44, 43, 47 and 49 be withdrawn and the claims allowed.

The final Office Action also rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi et al. U.S. Patent No. 5,643,659. However, claim 5, depends from claim 1, and claim 1 has been amended to state that the layers in the transfer are crosslinkable, and that the reaction is peroxide initiated. Therefore, claim 5 is also allowable for the same reasons as claim 1. In view of this, it is respectfully requested that the rejection of claim 5 be reconsidered and the claim allowed.

The final Office Action also objected to claims 6 and 7 as being dependent upon cancelled claim 2. Both claims 6 and 7 are amended to depend from claim 1.

Claims 7 was also objected to because isophthalic was misspelled. Claim 7 has been amended to include the correct spelling of isophthalic.

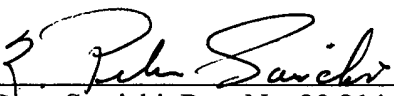
Claim 46 was objected to because it was identical to claim 10. Claim 46's dependency has been changed to depend from claim 44.

In view of the above, it is believed that all of the claims are in condition for allowance and reconsideration and allowance of all of the claims are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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